

FILED  
JUL 17 PM 2:51  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	<u>SUPERSEDING INDICTMENT</u>
	)	
Plaintiff,	)	JUDGE BENITA Y. PEARSON
	)	
v.	)	CASE NO. <u>1:19-CR-00124</u>
	)	Title 21, United States Code,
ANGEL RIOS,	)	Sections 841(a)(1), (b)(1)(A),
JAIME HERNANDEZ-DE LA PAZ,	)	(b)(1)(B), (b)(1)(C), 843(b),
FELIX M. CRUZ,	)	856(a)(1) and (2), and 846; Title
EDWIN A. TAVAREZ,	)	18, United States Code, Sections
MIGDALIA PABON,	)	922(g)(1), 924(c)(1)(A)(i),
EDWIN VASQUEZ,	)	1956(h) and 2
MALVIN D. ROMAN,	)	
	)	
Defendants.	)	

COUNT 1

(Conspiracy to Possess with Intent to Distribute and Distribution of Cocaine,  
21 U.S.C. § 846)

The Grand Jury charges:

1. From on or about November 1, 2017 to on or about February 28, 2019, the exact dates to the Grand Jury known and unknown, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendants ANGEL RIOS, JAIME HERNANDEZ-DE LA PAZ, FELIX M. CRUZ, EDWIN A. TAVAREZ, EDWIN VASQUEZ, and MALVIN D. ROMAN, and others known and unknown to the Grand Jury, did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree together and with each other, and with diverse others known and unknown to the Grand Jury, to possess with intent to distribute 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

COUNT 2

(Maintaining a Drug Premises, 21 U.S.C. §§ 856(a)(1) and (2))

The Grand Jury further charges:

2. From on or about October 1, 2018 to on or about February 1, 2019, in the Northern District of Ohio, Eastern Division, Defendants ANGEL RIOS and FELIX M. CRUZ did knowingly and intentionally use, maintain, and control a place, located at an address on Hodgson Ave., the specific address known to the Grand Jury, for the purpose of manufacturing, distributing, and using controlled substances, namely marijuana, a Schedule I controlled substance, and cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 856(a)(1) and (2).

COUNT 3

(Possession with Intent to Distribute Cocaine,  
21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2)

The Grand Jury further charges:

3. On or about February 1, 2019, Defendants ANGEL RIOS and JAIME HERNANDEZ-DE LA PAZ did knowingly and intentionally possess with intent to distribute approximately 96.48 grams of a mixture and substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 4

(Possession with Intent to Distribute Marijuana,  
21 U.S.C. §§ 841(a)(1) and (b)(1)(C), 18 U.S.C. § 2)

The Grand Jury further charges:

4. On or about February 1, 2019, Defendants ANGEL RIOS and FELIX M. CRUZ did knowingly and intentionally possess with intent to distribute approximately 846.97 grams of

marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 5

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime,  
18 U.S.C. § 924(c)(1)(A)(i))

The Grand Jury further charges:

5. On or about February 1, 2019, in the Northern District of Ohio, Eastern Division, Defendant JAIME HERNANDEZ-DE LA PAZ did knowingly possess a firearm in furtherance of a drug trafficking crime, for which said defendant may be prosecuted in a court of the United States, that is, Conspiracy to Possess with Intent to Distribute and Distribution of Cocaine, and Possession with Intent to Distribute Cocaine, in violation of Title 21, United States Code, Sections 846, 841(a)(1), (b)(1)(A), and (b)(1)(C), as charged in Counts 1 and 3 of the Indictment, in violation of Title 18, Section 924(c)(1)(A), United States Code, and punishable under Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT 6

(Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1))

The Grand Jury further charges:

6. On or about February 1, 2019, in the Northern District of Ohio, Eastern Division, Defendant FELIX M. CRUZ, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, that being: F2 Possession of Drugs, in the Cuyahoga County Court of Common Pleas, case number CR-04-448692, on or about March 4, 2004, did knowingly possess in and affecting interstate commerce a firearm, to wit: a Glock

Model 19 pistol, serial number NPK-106, and ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 7

(Possession with Intent to Distribute and Distribution of Cocaine,  
21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

The Grand Jury further charges:

7. On or about February 16, 2019, in the Northern District of Ohio, Eastern Division, Defendant EDWIN A. TAVAREZ did knowingly and intentionally possess with intent to distribute and distribute more than 500 grams of a mixture and substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 8

(Conspiracy to Launder Monetary Instruments, 18 U.S.C. § 1956(h))

The Grand Jury further charges:

8. From on or about November 17, 2017 to on or about January 11, 2019, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendants ANGEL RIOS and MIGDALIA PABON did knowingly combine, conspire, and agree with each other and with other persons known and unknown to the Grand Jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, to wit: knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, to wit, transporting and retrieving United States currency, which involved the proceeds of a specified unlawful activity, that is distribution of controlled substances, knowing that the transaction was designed in whole and in part to conceal and disguise, the nature, source, ownership, and control of the proceeds of said specified unlawful activity and that while conducting and attempting to

conduct such financial transaction knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

All in violation of Title 18, United States Code, Sections 1956(h) and 2.

COUNTS 9-25

(Use of a Communication Facility in Furtherance of a Drug Trafficking Crime,  
21 U.S.C. § 843(b))

The Grand Jury further charges:

9. On or about the dates and approximate times listed below, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendants listed below did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony, under Title 21, United States Code, Section 846 and 841(a):

Count	Defendants	Date	Time
9	ANGEL RIOS, MIGDALIA PABON	June 7, 2018	4:04 p.m.
10	ANGEL RIOS, JAIME HERNANDEZ-DE LA PAZ	November 10, 2018	7:26 p.m.
11	ANGEL RIOS, JAIME HERNANDEZ-DE LA PAZ	November 12, 2018	6:07 p.m.
12	ANGEL RIOS, JAIME HERNANDEZ-DE LA PAZ	November 12, 2018	6:38 p.m.
13	ANGEL RIOS, JAIME HERNANDEZ-DE LA PAZ	December 3, 2018	9:15 a.m.
14	ANGEL RIOS, MALVIN D. ROMAN	December 5, 2018	3:49 p.m.
15	ANGEL RIOS, JAIME HERNANDEZ-DE LA PAZ	December 12, 2018	4:01 p.m.
16	ANGEL RIOS, MALVIN D. ROMAN	December 17, 2018	7:08 p.m.
17	ANGEL RIOS, MALVIN D. ROMAN	December 18, 2018	7:51 p.m.
18	ANGEL RIOS, FELIX M. CRUZ	December 19, 2018	7:16 p.m.
19	JAIME HERNANDEZ-DE LA PAZ, EDWIN TAVAREZ	January 7, 2019	2:01 p.m.
20	JAIME HERNANDEZ-DE LA PAZ, MIGDALIA PABON	January 10, 2019	5:10 p.m.
21	JAIME HERNANDEZ-DE LA PAZ, MIGDALIA PABON	January 11, 2019	7:50 p.m.

22	ANGEL RIOS, EDWIN VASQUEZ	January 13, 2019	8:49 p.m.
23	ANGEL RIOS, EDWIN VASQUEZ	January 15, 2019	4:21 p.m.
24	ANGEL RIOS, JAIME HERNANDEZ-DE LA PAZ	January 15, 2019	5:45 p.m.
25	ANGEL RIOS, EDWIN VASQUEZ	January 15, 2019	5:47 p.m.

All in violation of Title 21, United States Code, Section 843(b).

#### FORFEITURE

The Grand Jury further charges:

10. For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853 (drug offenses), Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) (firearms offenses), and Title 18, United States Code, Section 982(a)(1) (money laundering offense), the allegations of Counts 1 through 25, inclusive, are hereby re-alleged and incorporated herein by reference. As a result of the foregoing offenses, Defendants ANGEL RIOS, JAIME HERNANDEZ-DE LA PAZ, FELIX M. CRUZ, EDWIN A. TAVAREZ, MIGDALIA PABON, EDWIN VASQUEZ, and MALVIN D. ROMAN shall forfeit to the United States: any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of the drug offenses; any and all of the defendants' property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the drug offenses; any and all firearms and ammunition involved in or used in the commission of the firearms offenses; and, all property, real and personal, involved in the money laundering offense, and all property traceable to such property; including, but not limited to, the following:

a.) Glock Model 19 9mm pistol, serial number: NPK-106, with magazines and ammunition seized pursuant to the execution of a federal search warrant on February 1, 2019, at

a location on Hodgson Avenue, Cleveland, Ohio [FELIX M. CRUZ].

b.) \$14,830.00 U.S. Currency seized pursuant to the execution of a federal search warrant on February 1, 2019, at a location on Hodgson Avenue, Cleveland, Ohio [FELIX M. CRUZ and ANGEL RIOS].

c.) \$19,800.00 U.S. Currency seized pursuant to the execution of a federal search warrant on February 1, 2019, at a location on Wakefield Avenue, Cleveland, Ohio [EDWIN A. TAVAREZ].

d.) \$13,242.00 U.S. Currency possessed by JAIME HERNANDEZ-DE LA PAZ on February 1, 2019.

e.) \$51,886.00 U.S. Currency seized pursuant to the execution of a federal search warrant on February 1, 2019, at the El Torito restaurant located in Lakewood, Ohio [JAIME HERNANDEZ-DE LA PAZ and ANGEL RIOS].

f.) Taurus 9mm PT 809 pistol, serial number: TC028566, with magazines and ammunition seized pursuant to the execution of a federal search warrant on February 1, 2019, at the El Torito restaurant located in Lakewood, Ohio [JAIME HERNANDEZ-DE LA PAZ].

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.